

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Boating and Ocean Recreation  
Honolulu, Hawaii 96813

April 24, 2009

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Maui

Issuance of Two Separate Revocable Permits to Island Ice Company, LLC for a site at Maalaea  
Small Boat Harbor, and Kahului Boat Ramp

APPLICANT:

Island Ice Company L.L.C., whose business and mailing address is 405 Kaao Circle, Kahului, HI  
96732.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATIONS:

Maalaea Small Boat Harbor, Maalaea, Waikapu, Wailuku, Maui  
TMK: (2) 3-6-01:002. Exhibit A.

Kahului Harbor Boat Ramp, Owa, Kahului, Maui  
TMK: (2) 3-7-01: portion, Exhibit B

AREA:

Approximately 200 square feet at each location.

ZONING:

Kahului:	State Land Use District:	Conservation-Resource Sub zone
	County of Maui CZO:	Conservation
Maalaea:	State Land Use District:	Urban
	County of Maui CZO:	M-1 Light Industrial

CHARACTER OF USE:

Retail Ice Sales

CURRENT USE STATUS:

Vacant

TRUST LAND STATUS:

Kahului: Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

Maalaea: Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: Yes

COMMENCEMENT DATE:

To be determined by the Chairperson.

MONTHLY RENTAL OF EACH SITE AND SECURITY DEPOSIT:

\$225.00 minimum base monthly rent per month or 8 % percent of gross sales whichever is greater.  
Security Deposit shall be twice the monthly rent.

CHAPTER 343 ENVIRONMENTAL ASSESSMENT:

In accordance with the "Comprehensive Exemption List for the Division of Boating and Ocean Recreation, Department of Land and Natural Resources, State of Hawaii, as concurred in by the Environmental Council, State of Hawaii", dated March, 1995, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states in pertinent part, "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing." The subject support areas will have negligible or no expansion or change of use beyond that previously existing.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u>  </u>
Registered business name confirmed:	YES <u>X</u>	NO <u>  </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u>  </u>

REMARKS:

The use of ice is an essential part of operation for fisherman, commercial operators and general users of DOBOR facilities. Vessel operators have requested ice sales to be made convenient and easily accessible within the DOBOR facilities of the Maalaea Small Boat Harbor and the Kahului Boat Ramp. Presently ice is either ordered for delivery at specific times, or purchased off site and trucked to the harbor or ramp. The automated ice machines would make the purchase of ice convenient and accessible twenty-four hours a day, seven days a week. Each machine would dispense either bulk or bag quantities. This will be the first time this type of operation will be in place at a DOBOR facility. Island Ice Company, LLC will provide a detailed monthly sales report to be attached with the gross monthly rental payment.

Permitee would be responsible for all installation, including sub-meters, payment of all utilities, and all maintenance related to each operation. In addition, the Permitee would be responsible to keep the surrounding permit area clean, as well as maintain landscaping immediately located adjacent each site. All plans for both sites must be reviewed and approved by the DOBOR.

The Permitee shall be required to provide a twenty-four hour on call repair and service technician based on the Island of Maui to immediately address any maintenance or service concerns that may arise with equipment. Equipment must have a wireless operational service monitoring system to alert technician of the status of each machine.

Future improvement projects within the Maalaea harbor may require the relocation of the Permitee.

RECOMMENDATION: That the Board:

1. Authorize the issuance of two Revocable Permits to Island Ice Company, LLC covering both subject areas for retail operation of an automated ice machine, purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
  - b. Review and approval by the Department of the Attorney General; and
  - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Edward R. Underwood  
Administrator

APPROVED FOR SUBMITTAL:

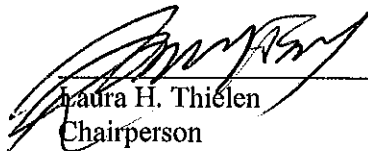
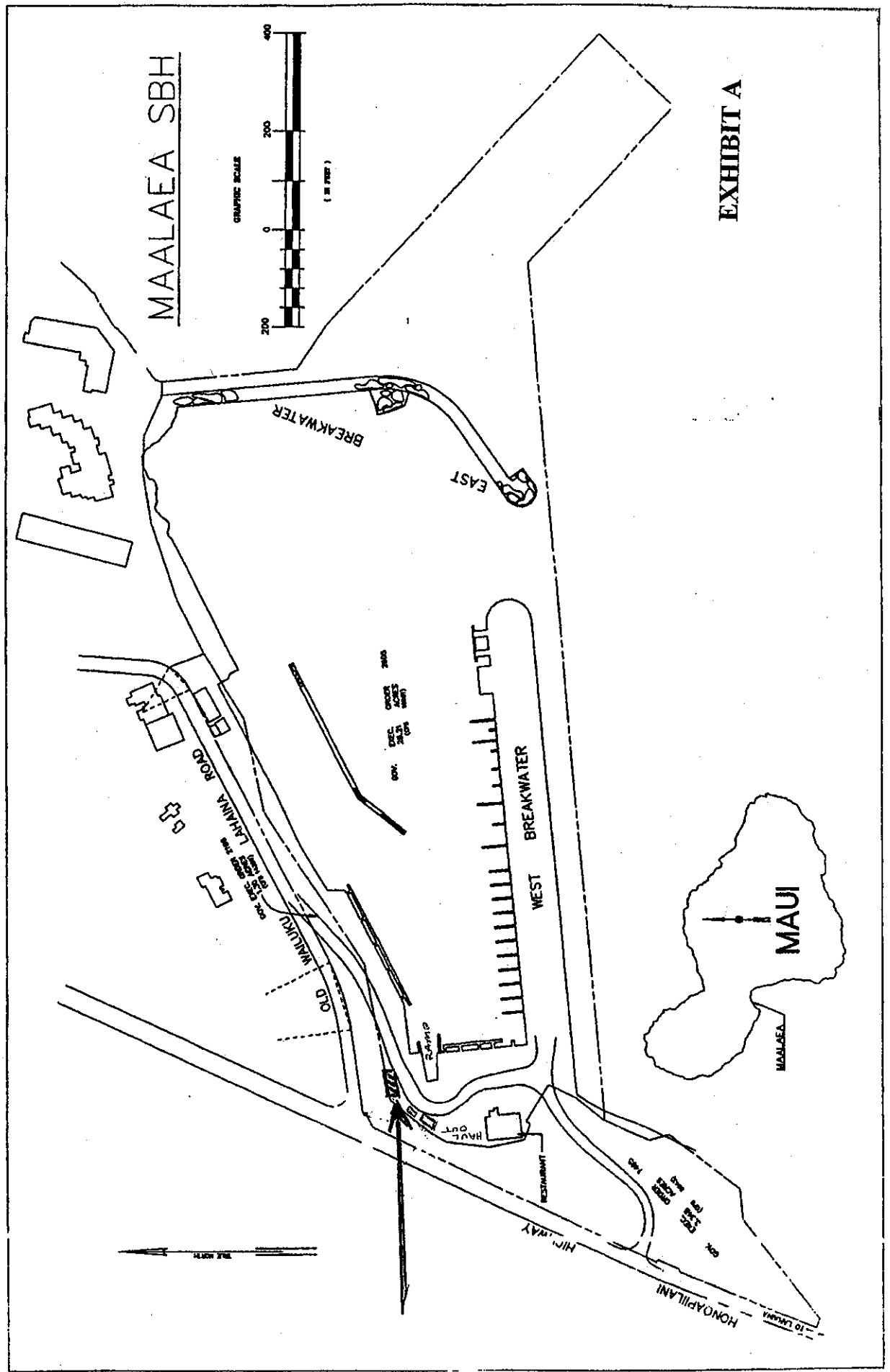
  
Laura H. Thielen  
Chairperson

EXHIBIT A



# KAHULUI BOAT RAMP

DATE OF PHOTO: AUGUST 25, 1988  
TAX MAP KEY 3-7-03



EXHIBIT B

